

IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY
TENNESSEE AT NASHVILLE

IN RE:)	
)	
BRIDGESTONE/FIRESTONE and)	Case No. 01MD-3
GENERAL MOTORS CORPORATION)	
TIRE CASES)	
_____)	
)	
THIS DOCUMENT APPLIES TO ALL)	
ACTIONS)	
)	

ORDER DENYING MOTION TO DISMISS FOR
LACK OF PERSONAL JURISDICTION

This cause came to be heard before the Honorable Thomas W. Brothers, Judge of the Sixth Circuit Court of Davidson County, Tennessee, having been specially set, on August 1, 2001, upon the Motion to Dismiss for lack of personal jurisdiction filed by Defendant, Bridgestone Corporation. After a thorough review of all briefs, affidavits and exhibits submitted by the parties, as well as the arguments presented by counsel, this Court finds that Bridgestone Corporation’s Motion to Dismiss is not well-taken and should be DENIED.

In support of its motion to dismiss, Bridgestone Corporation has presented the affidavit of Mr. Hiroyuti Kita, a manager in the Bridgestone Corporation legal department. The Plaintiffs have presented substantial documentation purporting to show that Defendant did in fact have sufficient contacts with the State of Tennessee to invoke the jurisdiction of this Court. This Court finds that Plaintiffs have sufficiently challenged his assertions concerning lack of contact with this state to overcome Defendant’s motion.

The decision of the Tennessee Supreme Court in *Chenault v. Walker*, 36 S.W. 3d 45 (Tenn. 2001), is controlling in this case. When faced with a motion to dismiss for lack of personal jurisdiction, a plaintiff must establish a *prima facie* showing of jurisdiction. *Id.* The Plaintiffs have done so.

The Court finds that the Plaintiffs have made a *prima facie* showing that there exists such sufficient contacts with Tennessee to satisfy the assertion of jurisdiction in this case and that invoking such jurisdiction does not violate traditional notions of fair play and substantial justice.

It is, accordingly, **ORDERED** that Bridgestone Corporation’s Motion to Dismiss for Lack of Personal Jurisdiction is hereby **DENIED**. All other matters are reserved.

Thomas W. Brothers
Circuit Court Judge

CERTIFICATE

I hereby certify that a copy of the foregoing Order has been mailed to STEVE NORTH at 1215 Gallatin Pike South, Madison, TN 37115; STEVEN RILEY and SALVADOR HERNANDEZ at 1906 West End Avenue, Nashville, TN 37203; JAMES SANDERS and A. SCOTT ROSS at 150 Fourth Avenue North, Suite 2000, Nashville, TN 37219; STEPHEN MARCUM at 3 Courthouse Square, P.O. Box 8, Huntsville, AL 37756; RICHARD DENNEY and LYDIA JOANN BARRETT at 870 Copperfield Drive, Norman, OK 73072; JOHN MERRITT at 917 North Robinson, P.O. Box 1377, Oklahoma City, OK 73101; RICHARD LAGARDE at 24 Greenway Plaza, Suite 400, Houston, TX 77046; ROBERT LANGDON, J. KENT EMISON, BRADLEY KUHLMAN, MARK EVANS at 911 Main Street, P.O. Box 220, Lexington, MO 64067; J. RANDOLPH BIBB and JONATHAN COLE at 211 Commerce Street, Suite 1000, Nashville, TN 37201; MARY A. PARKER at 209 10th Avenue South, Nashville, TN 37203; CHILTON DAVIS VARNER, ROBERT D. HAYS and JOHNNY FRIEDMAN at 191 Peachtree Street, N.E., Atlanta, GA 30303-1763; and COLIN SMITH and CHARLES E. JOERN at 55 West Monroe Street, Suite 800, Chicago, IL 60603-5001, on this the _____ day of August, 2001.

Deputy Clerk